GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Prohibition & Excise Department – Sri P.Subba Rao, P&E Superintendent(Retired) involved in the two liquor syndicate cases of Guntur District – Implemented the orders dated 28.11.2019 in W.P.No.19087,19088 of 2019 of Hon'ble High Court - Sanctioned Pensionary benefits – Implemented the orders dated 23.02.2023 in W.P.No.4460 of 2023 filed by Sri P.Subba Rao, P&E Superintendent(Retired) for payment of interest on delayed pensionary benefits – Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.Rt.No.764 **Dated:17.08.2023**

Read the following:-

1. From the DG, ACB, Lr.Rc.No.66/RCO-TCD/2012, Dated:12-11-2012
2. Govt. Memo.No.45965/VIG.V(2)/2012-1, dated:16-01-2013
3. From the Dg, ACB, Lr.Rc.No.61/RCO-VGT/2012, dated:12.011.2012 (Cr.No.5/RCO-VJA/200012)
4. Govt. Memo.No.51902/VIG.V(2)/2012-2, dated:16-01-2013
5. Orders dated 28.11.2019 of Hon'ble High Court in W.P.Nos. 19087,19088 of 2019 filed by Sri P.Subba Rao, P&E Superintendent (Retired)
6. Contempt Case Nos.908,904 of 2020 in W.P.Nos. 19087,19088 of 2019 filed by Sri P.Subba Rao, P&E Superintendent (Retired)
7. G.O.Rt.No.249, Rev(Vig.IV) Dept, dated:13.04.2022
8. Orders dated 15.02.2023 of Hon'ble High Court in W.P.No.4460 of 2023 filed by Sri P. Subba Rao, P&E Superintendent (Retired).
9. Representation dated:21.04.2023 from Sri P.Subba Rao, P&E Superintendent (Retired), Guntur District
10. From CPE, Ap, Vijayawada Lr.Cr.No.3021/2018/CPE/C4, dated:27.04.2023.

****

O R D E R :

Whereas Sri P.Subba Rao, P&E Superintendent (Retired) was involved in two Liquor Syndicate cases of Guntur district along with other Prohibition and Excise officials, when he was in service. The DG, ACB recommended in Cr.No.01/RCO-VZA/2012 to place on his defence before TDP and in another Cr.No.5/RCO-VJA/2012 recommended to entrust his case to COI along with others. After following due procedure, Government entrusted his cases to COI and TDP along with other P&E officials. Subsequently, he was retired from the service on 28.02.2017.

2. And whereas, the Commissioner of Proh.& Excise was initiated disciplinary proceedings by framing article of charges against Sri P.Subba Rao, P&E Sudpt.,(Rtd) along with other P&E officials. The TDP issued charge memo against him in TEC No128 of 2013, dated:28.02.2017. Sri P.Subba Rao, P&E Superintendent (Retired) was fled W.P.Nos. 19087, 19088 of 2019 before the Hon'ble High Court challenging charge memos. The Hon'ble High Court has passed orders dated: 28.11.2019 directed the respondents to complete the enquiry within a period of four months from the date of receipt of a copy of the order. Government fled writ appeals in both cases, which were dismissed by the Hon'ble High Court. Sri P.Subba Rao, Retired P&E Sudpt., has fled two contempt cases in CC.No.908/2020 & CC.No.904/2020 for non implementing the orders dated 28.11.2019 of High Court issued in WP.Nos.19087/2019 and 19088/2019.

3. Whereas, in the reference 7th read above, the Government issued orders implementing the orders dated 28.11.2019 of Hon'ble High Court and sanctioned pensionery benefits to Sri P.Subba Rao, P&E Superintendent (Retired).

(PTO)

4. Whereas in the reference 8th read above, Sri P.Subba Rao, P&E Superintendent (Retired) has fled WP.No.4460 of 2023 for interest @9% p.a., on the delayed payments of retirement benefits in terms of the orders passed in W.A.No.383 of 2022, dated 12.07.2022.

5. And whereas, the Hon'ble High Court in its order dated 23.02.2023 in W.P.No.4466 of 2023 has directed the respondents to pay the retirement monetary benefits to be payable and along with interest @ 9% p.a. on the delayed retirement benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to the petitioner, in terms of the judgment dated 12.07.2022 passed by the Division Bench of this Court in Writ Appeal No.383 of 2022.

6. And whereas in the reference 7th read above, the Commissioner of Prohibition & Excise, while enclosing a copy of the representation of Sri P.Subba Rao, P&E Superintendent (Retired), has requested the Government to take further necessary action for sanction of interest @ 9% on the delayed payments of pensionery benefits to avoid any further legal complication in the matter.

7. Government after careful examination of the matter, and keeping in view of the orders of Hon'ble High Court in W.P.No.4466 of 2023 fled by Sri P.Subba Rao, P&E Superintendent (Retired), have decided to implement the orders dated 23.02.2023 of Hon'ble High Court and to pay the interest @ 9% p.a. on the delayed pensionery benefits to Sri P.Subba Rao, P&E Superintendent (Retired).

8. Accordingly, Government hereby order to pay the interest @ 9% p.a. on the delayed pensionery benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to Sri P.Subba Rao, P&E Superintendent (Retired).

9. The Commissioner of Prohibition and Excise shall take further necessary action in the matter, accordingly.

10. This order issues with concurrance of Finance (HR) Department vide their UO.No.FIN 01-HROMISC/59/2023-HRIII, dated:30.06.2023.

Dr. RAJAT BHARAGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P.Subba Rao, P&E Superintendent(Retired), through the Commissioner of Prohibition and Excise Department, AP, Vijayawada.
The Commissioner of Prohibition and Excise Department, AP, Vijayawada
Copy to:
The Finance (HR-III) Department, A.P.Secretariat, Velagapudi.
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Treasuries and Accounts, AP, Vijayawada.
The Dy.Commr of P&E Dept., Guntur District.
Sc/Sf

//FORWARDED::BY ORDER//

SECTION OFFICER